

COMMUNICATION
FROM THE
GOVERNOR OF MARYLAND,

Executive Department,
Annapolis, January 30th, 1837.

Gentlemen of the Senate

And of the House of Delegates:

We herewith lay before you, in pursuance of a request therein contained, a copy of a report and resolution passed by the Legislature of Georgia, on the subject of the surplus revenue of the United States proposed to be deposited among the States.

It will be perceived that the existence of a surplus of revenue in the national treasury is deprecated in the strongest terms by the Legislature of our sister State; and that the laws, by the operation of which this surplus was created, are viewed as an exercise of assumed power by the general government. The whole context and tenor of the report clearly demonstrate that it is against what is familiarly called "the protecting power" that the Legislature of Georgia protests; and they urge an immediate reduction of the revenue to what they call "the legitimate wants of the federal government," (notwithstanding the compromise tariff act of 1833,) upon the ground that the surplus has accrued in consequence of an assumption of power by Congress not conferred by the constitution.

We do not intend, on the present occasion, to enter into any argument upon the question of *power*, or to produce the numerous authorities which are at hand to sustain the constitutionality of its exercise, since the Congress of 1789 to the present day. We are firmly persuaded that the compromise of that vexed question made by the tariff act of 1833 ought not to be disturbed—that the opponents, as well as the friends, of a tariff of protection ought to adhere to that compromise, not because either are legally bound to do so, but because reviving the exciting and embittered contest, which that act allayed, would again, and speedily revive